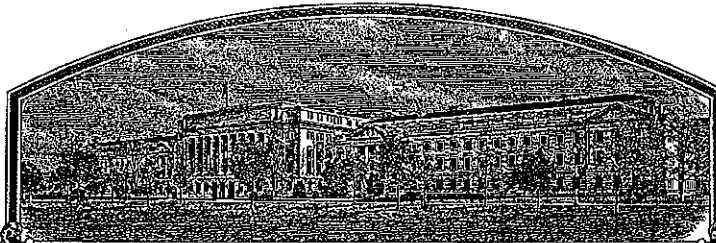


No.

200400093



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Abbott & Cobb, Inc.

Whereas THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSES, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED IN THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

MUSKMELON (F1)

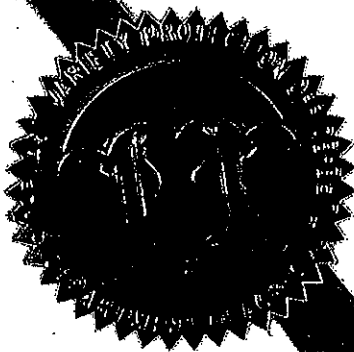
'S3-1520-XLT'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this seventh day of December, in the year two thousand and five.

Attest:

Commissioner  
Plant Variety Protection Office  
Agricultural Marketing Service

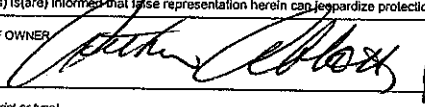
Secretary of Agriculture



U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICEAPPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE  
(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF OWNER <b>Abbott and Cobb, Inc.</b>		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME <b>ACX-1520-PS-XLT</b>		3. VARIETY NAME <b>S3-1520-XLT</b>	
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) <b>P.O. Box 307 Feasterville, PA 19053-0307</b>		5. TELEPHONE (include area code) <b>(215) 245-6666</b>		FOR OFFICIAL USE ONLY PVPO NUMBER <b>2004 00093</b>	
6. FAX (include area code) <b>(215) 245-9043</b>		7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) <b>Corporation</b>		8. IF INCORPORATED, GIVE STATE OF INCORPORATION <b>PA</b>	
9. DATE OF INCORPORATION <b>01/02/1974</b>		10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers) <b>Arthur Abbott, President P.O. Box 307 Feasterville, PA 19053-0307</b>		FILING AND EXAMINATION FEES: FEE \$ <b>3652.00</b> DATE <b>2/2/04</b> CERTIFICATION FEE: FEE \$ <b>682.00</b> DATE <b>9/16/05</b>	
11. TELEPHONE (include area code) <b>(215) 245-6666</b>		12. FAX (include area code) <b>(215) 245-9043</b>		13. E-MAIL <b>Summersweet Veggies@AOL.Com.</b>	
14. CROP KIND (Common Name) <b>Cantaloupe</b>		15. GENUS AND SPECIES NAME OF CROP <b>Cucumis melo L.</b>		16. FAMILY NAME (Botanical) <b>Cucurbitaceae</b>	
17. IS THE VARIETY A FIRST GENERATION HYBRID? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		18. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse) a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety d. <input checked="" type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$3,652), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)		19. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? See Section 83(a) of the Plant Variety Protection Act <input type="checkbox"/> YES (If "yes", answer items 20 and 21 below) <input checked="" type="checkbox"/> NO (If "no", go to item 22)	
20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? IF YES, WHICH CLASSES? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED		21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? IF YES, SPECIFY THE NUMBER 1,2,3, etc. FOR EACH CLASS. <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED (If additional explanation is necessary, please use the space indicated on the reverse.)		22. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)	
23. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)		24. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate. The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Owner(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.			
SIGNATURE OF OWNER 		SIGNATURE OF OWNER			
NAME (Please print or type) <b>ARTHUR ABBOTT</b>		NAME (Please print or type)			
CAPACITY OR TITLE <b>President</b>		DATE <b>11/15/03</b>		CAPACITY OR TITLE <b>DATE</b>	

**GENERAL:** To be effectively filed with the Plant Variety Protection Office (PVPO), ALL of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to reproduce the variety, or for tuber reproduced varieties verification that a viable (in the sense that it will reproduce an entire plant) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for \$3,652 (\$432 filing fee and \$3,220 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 401, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$432 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

**Plant Variety Protection Office**

Telephone: (301) 504-5518

FAX: (301) 504-5291

Homepage: <http://www.ams.usda.gov/science/pvpo/pvp.htm>

**ITEM**

- 18a. Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) evidence of uniformity and stability; and (4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 18b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:
- (1) identify these varieties and state all differences objectively;
- (2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and
- (3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 18c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 18d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 18e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
19. If "Yes" is specified (*seed of this variety be sold by variety name only, as a class of certified seed*), the applicant **MAY NOT** reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See Regulations and Rules of Practice, Section 97.103).
22. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
23. See Section 55 of the Act for instructions on claiming the benefit of an earlier filing date.

21. CONTINUED FROM FRONT (Please provide a statement as to the limitation and sequence of generations that may be certified.)

22. CONTINUED FROM FRONT (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

23. CONTINUED FROM FRONT (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).) *The female parent, WS24, is protected in the USA by PVP Certificate No 200000012, issued on April 29, 2003. A PVP application was filed in the USA for the male parent, SLA-NI, (Appl. No 200300298), filed on July 29, 2003.*

NOTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. There is no charge for filing a change of address. The fee for filing a change of ownership or assignment or any modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)

To avoid conflict with other variety names in use, the applicant must check the appropriate recognized authority. For example, for agricultural and vegetable crops, contact: Seed Branch, AMS, USDA, Room 213, Building 306, Beltsville Agricultural Research Center-East, Beltsville, MD 20705. Telephone: (301) 504-8089. <http://www.ams.usda.gov/lsg/seed.htm>

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 3.0 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

ST-470 (02-10-2003) designed by the Plant Variety Protection Office with Word 2000. Replaces former versions of ST-470, which are obsolete.



**ABBOTT & COBB, INC.**  
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2004 00093

## EXHIBIT A

### ORIGIN AND BREEDING HISTORY OF <sup>53-1520-XLT</sup>ACX-1520-PS-XLT

<sup>53-1520-XLT</sup>  
ACX-1520-PS-XLT, is a personal size ( PS ), heterozygous Extended Shelf Life ( XLT ) first generation hybrid cantaloupe. It is characterized by an andromonoecious flowering habit, small and perfectly round fruits, and a quantitatively measured, extended post harvest shelf life. The parents of <sup>53-1520-XLT</sup>ACX-PS-XLT are WS24 ( female parent ), and ' SLA-NS' ( male parent ).

#### Breeding History of female Parent WS24

<sup>53-1520-XLT</sup>  
WS24, the female parent of ACX-1520-PS-XLT, has been fully described in a Plant Variety protection Application No 200000012 . A PVP certificate was issued on April 29, 2003. WS24 is a western shipper inbred with the andromonoecious flowering habit. It is fully netted and has non-sutured round fruits with small, closed cavity. The fruits abscise when ripe.

#### Breeding History of Male Parent SLA-NS

<sup>53-1520-XLT</sup>  
SLA-NS, the male parent of ACX-1520-PS-XLT, has been fully described in a Plant Variety Protection Application No 200300298, filed on July 29, 2003. SLA-NS is homozygous for the Extended Shelf Life character ( XLT ). It has small, round fruits that are fully netted, and

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**2004 00093**

JMS 12/1/04

**non-sutured. The fruits have small closed cavity, and they abscise only when over ripe.**

**Extensive field trials , over four years period, in California, Texas, Georgia, Indiana, and Mexico, have consistently shown ~~ACX-1520-PS~~ *SS-1520-XLT* XLT to be novel, uniform and stable F1 hybrid.**

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**2004 00093**

## **EXHIBIT A : SELECTION CRITERIA**

*JMS 12/1/04*

The selection criteria used for the development of <sup>*53-1520-XLT*</sup> ~~ACX-1520-PS-XLT~~ were as follows:

- 1- A personal size melon, with Extended Shelf Life ( XLT).
- 2- Small, round fruits, averaging around 1200 grams each.
- 3- Fully netted, non-sutured fruits.
- 4- Small, closed seed cavity.
- 5- A minimum Brix reading of 13 %.
- 6- Resistance to powdery mildew race1 and Fusarium wilt race 2.
- 7- Resistance to the black melon aphid ( *Aphis gossypii* Glover ).

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**5**

## DRAFT Exhibit A Form

1. Describe the genealogy (back to and including public and commercial varieties, lines, or clones used) and the breeding method(s).

~~ACX-1520-PS-XLT~~<sup>S3-1520-XLT</sup>, is an Extended Shelf Life F1 hybrid melon. The female parent is WS24, (DVP 200000012). The male parent is SLA-NS (DVP Applic No 200300298)

2. Give the details of subsequent stages of selection and multiplication.

Year	Detail of Stage	Selection Criteria
1999	hand cross first made	Please see attached
2000	limited hybrid seed increase & Trials	
2001	multi-location Trials	
2002	multi-location Trials	
2003	limited hybrid increase and multi-location trial	

3a. Is the variety uniform? ☒ Yes ☐ No

How did you test for uniformity? multi location trial over a 4 years period showed that ~~ACX-1520-PS-XLT~~<sup>S3-1520-XLT</sup> is uniform.

3b. Is the variety stable? ☒ Yes ☐ No

How did you test for stability? Over how many generations? The same hybrid cross was done in 1999, 2000, and 2003. Resulting hybrids were tested in multi-locations over 4 year period. In all Trials and locations ~~ACX-1520-PS-XLT~~<sup>S3-1520-XLT</sup> proved to be stable.

4. Are genetic variants observed or expected during reproduction and multiplication? ☐ Yes ☒ No

If yes, state how these variants may be identified, their type and frequency.

NO genetic variants have been observed in ~~ACX-1520-PS-XLT~~<sup>S3-1520-XLT</sup>

Continue on additional pages if necessary.

JMS  
12/1/04

## DRAFT Exhibit B Form

Based on overall morphology, 53-1520-XLT is most similar to Tamuvalde.  
Applicant's new variety Most similar comparison variety(ies)

53-1520-XLT

ACX-1520 most clearly differs from Tamuvalde in the following traits:  
Applicant's new variety Most similar comparison variety(ies)

Name the specific trait, then list the value of that trait for each variety in the comparison. Attach appropriate supporting evidence (see the Guidelines for Presenting Evidence in Support of Variety Distinctness, available from the PVP Office or website).

1. Qualitative traits: (Eg. Leaf Pubescence)	Applicant's New Variety <u>ACX-1520</u> heavy pubescence <u>53-1520-XLT</u>	1 <sup>st</sup> Comparison Variety <u>Tamu</u> glabrous	Evidence photograph attached)
Sutures on Fruits	NOT Sutured	Slightly Sutured	See photo
2. Color traits: (Eg. Leaf Color)	Dark Green (5GY 3/4)	Light Green (2.5GY 3/10)	Munsell Color Chart)
3. Quantitative traits: (Eg. Plant Height)	200 cm +/- 10 cm (N=25)	250 cm +/- 15 cm (N=25)	statistics attached)
4. Other:	Resistant To The black melon Aphid	Susceptible To The black melon Aphid	The female of ACX-1520 has The Aphid-res gene (s)

Use additional tables to present clear differences for additional comparison varieties. Use additional pages to present supporting evidence.





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## **EXHIBIT A: S3-1520-XLT**

### **SCREENING FOR RESISTANCE TO THE MELON APHID**

All screening for resistance to the melon aphid ( *Aphis gossypii* ) was done under field conditions. The melon aphid is the most common species of aphids colonizing muskmelon in our breeding plots near Davis, CA. Two checks were included in all screening tests. Topmark, a susceptible check, and AR5, a resistant check. The test plots were sprayed only with the insecticides Sevin, which does control the beetles and other coleoptera, but not aphids. Aphid-resistant plants were selected based on the following criteria:

- a) the aphid population was very low, only about 10% that of susceptible checks.
- b) Absence of leaf curling, and other leaf mal-formation caused by aphid feeding.
- c) Absence of "moldy soot " on the fruits of putative resistant plants. Mold growth is caused by exudates from aphids.

In all tests, AR5, both the fruits and the foliar parts remained free of symptoms caused by excessive aphid feedings. There was no "moldy soot" on the mature fruits.

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Topmark, on the other hand, showed severe symptoms, caused by aphid feedings, and the mature fruits were fully covered with “ moldy soot”. In tests conducted during 2003 and 2004, the fruits of S3-1520-XLT remained free of “ moldy soot “, whereas fruits of susceptible varieties , such as, Topmark , were covered with “ moldy soot”.

WS24, the female parent of S3-1520-XLT is resistant to the black melon aphid ( PVP certificate No 200000012 ). This resistance was derived from USDA breeding line AR 5 ( McCreight et al ). The authors found the Aphid resistance to be dominant and possibly controlled by two genes.

#### Literature Cited:

J.D. McCreight; A.N. Kishaba; and G.W. Bohn. 1984. AR Hale,s Best Jumbo, AR 5, and AR Topmark: Melon Aphid-resistant Muskmelon Breeding Lines. Hortscience 19 (2):309-310

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REPRODUCE LOCALLY. Include form number and date on all reproductions.

Form Approved OMB NO 0581-0055

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U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY  
PLANT VARIETY PROTECTION OFFICE  
BELTSVILLE, MD 20705

Exhibit C

OBJECTIVE DESCRIPTION OF VARIETY  
Muskmelon (*Cucumis melo* L.)

200400093

NAME OF APPLICANT(S)

Abbott and Cobb, Inc.

ADDRESS (Street and No. or RD No., City, State, and Zip Code)

P.O. Box 307

Feasterville, PA 19053

VARIETY NAME

S3-1520-XLT

TEMPORARY OR EXPERIMENTAL DESIGNATION

FOR OFFICIAL USE ONLY

PLEASE READ ALL INSTRUCTIONS CAREFULLY:

Place the appropriate number that describes the varietal characters typical of this variety in the boxes below.

Place a zero in the first box (e.g.    or   ) when number is either 99 or less or 9 or less.

1. TYPE:

☒ 5

1 = Persian    2 = Honey Dew    3 = Casaba    4 = Crenshaw    5 = Common or Summer  
6 = Other

2. AREA OF BEST ADAPTATION IN U.S.A.:

☒ 4

1 = Southeast    2 = Northeast/North Central    3 = Southwest    4 = Most Areas

3. MATURITY: (From Seeding to Harvest)

Days

No. Days Earlier Than.....

1 = Fordhook Gem (Early)  
2 = Delicious 51 (Midseason)  
3 = Honey Dew (Late)  
4 = Other (Specify) WS24

4. PLANT:

1 = Andromonoecious    2 = Monoecious    3 = Gynoecious    4 = Other

1 = Vine    2 = Semi-bush    3 = Bush

5. LEAF: (Mature Blade of Third Leaf)

☒ 2

Shape: 1 = Orbicular    2 = Ovate    3 = Reniform

☐ 1

1 = Not Lobed    2 = Shallowly Lobed    3 = Deeply Lobed

☒ 2

1 = Light Green (Honey Dew)    2 = Medium Green    3 = Dark Green (Rio Gold)

mm Length

mm Width

Surface: 1 = Pubescent    2 = Glabrous    3 = Scabrous

Exhibit C (Muskm)

**6. FRUIT:** (at Edible Maturity):

7. RIND NET:

**8. RIND TEXTURE:**

**9. RIND COLOR:**

Rind Color (At Full Maturity)

**10. FLESH (at Edible Maturity):**

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Exhibit C (Muskmelon)

## 10. FLESH (continued):

01

Flavor: 1 = Mild 2 = Somewhat Spicy 3 = Very Spicy

## 11. SEED CAVITY:

80

mm Length

40

mm Width

2

Shape in X-Section 1 = Circular 2 = Triangular

## 12. SEEDS:

425

No. per Fruit

25

gm per 1,000

## 13. DISEASE RESISTANCE: (0 = Not Tested, 1 = Susceptible, 2 = Resistant)

0

Bacterial Wilt

0

Root Rot

2

Crown Blight

0

Melon Rust

2

Powdery Mildew -R1

0

Verticillium Wilt

2

Sulphur Burn

0

Scab

0

Watermelon Mosaic

0

Downy Mildew

2

Fusarium Wilt -R2

0

Root Knot (Nematode)

0

Anthracnose

0

Cucumber Mosaic

0

Squash Mosaic

0

Other

0

Other

0

Other

State Genus, Species, and Races when known, under item 16.

## 14. INSECT RESISTANCE: (0 = Not Tested, 1 = Susceptible, 2 = Resistant)

2

Aphid

0

Pickle Worm

0

Darling Ground-Beetle

1

Banded Cucumber Beetle

1

Mite

1

Western Spotted  
Cucumber Beetle

1

Melon Leafhopper

0

Other (Specify)

0

Melon worm

1

Western Striped  
Cucumber Beetle

1

Melon Leafminer

## 15. INDICATE A VARIETY THAT MOST CLOSELY RESEMBLES THAT SUBMITTED FOR THE FOLLOWING CHARACTERISTICS:

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Days Maturity	WS24	Fruit Shape	TAMUVALDE
Plant Vigor	SLA-NS	Rind Color	ACX-9201 MAX
Plant Habit	SLA-NS	Flesh Aroma	ACX-9201 MAX
Fruit Netting	SLA-NS	Flesh Flavor	ACX-9201 MAX
Fruit Size	TAMUVALDE	Flesh Color	ACX-9201 MAX

## 16. ADDITIONAL INFORMATION AND COMMENTS:



**ABBOTT & COBB, INC.**  
P.O. BOX 307 • FEASTERVILLE, PA 19053-0307  
(215) 245-6666 • FAX (215) 245-9043

**2004 00093**

*S3-1520-XLT*  
**EXHIBIT D : ACX-1520-PS-XLT**

**Following items are included as part of Exhibit D:**

- SMS 12/1/04*
- 1- Three digital photos of ACX-1520-PS-XLT. *S3-1520-XLT***
  - 2- One Digital photo of TamuValde**

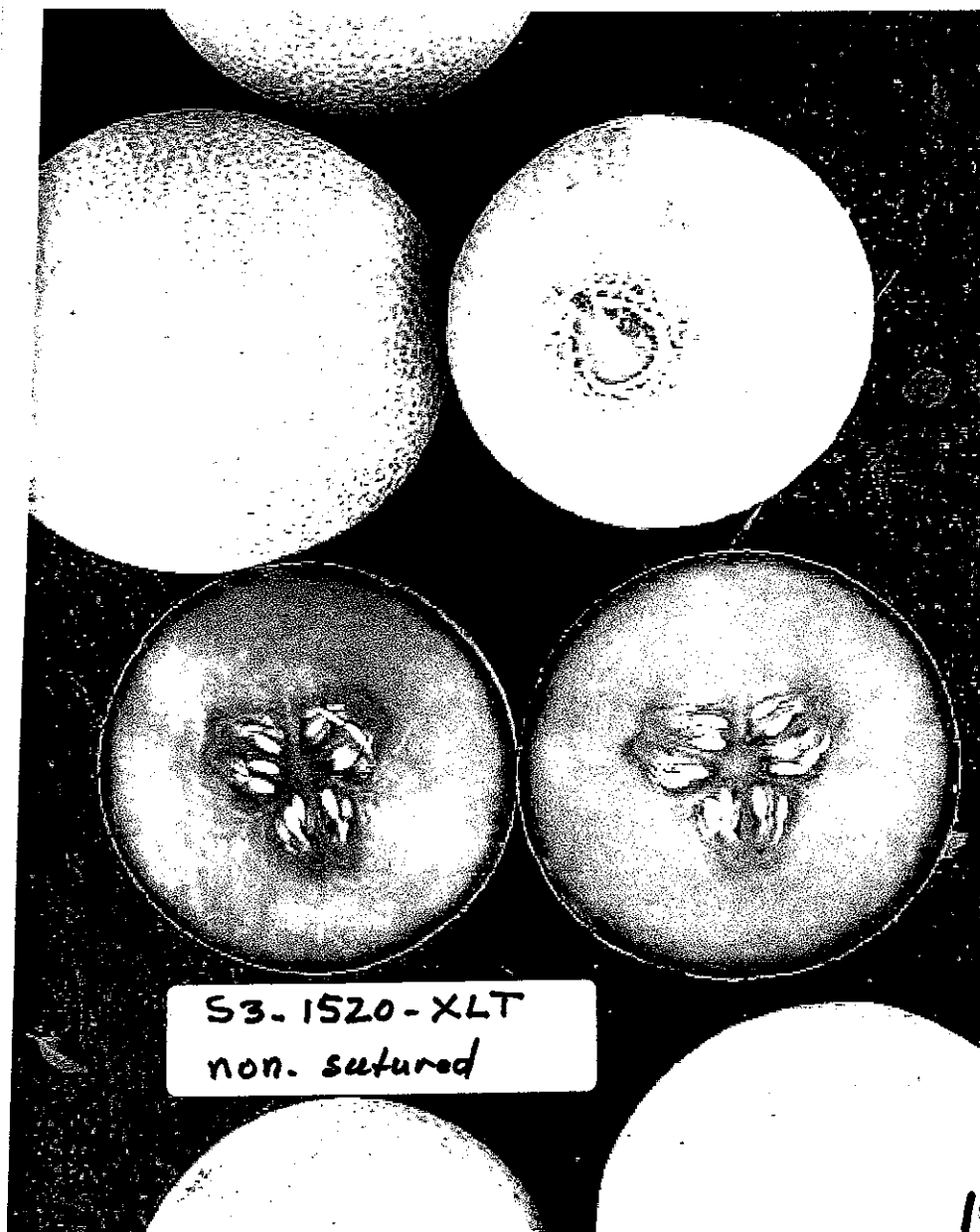
**"SERVING THE COMMERCIAL GROWER SINCE 1917"**

Branches:  
Bakersfield, CA (805) 322-1200  
Brawley, CA (760) 944-4768

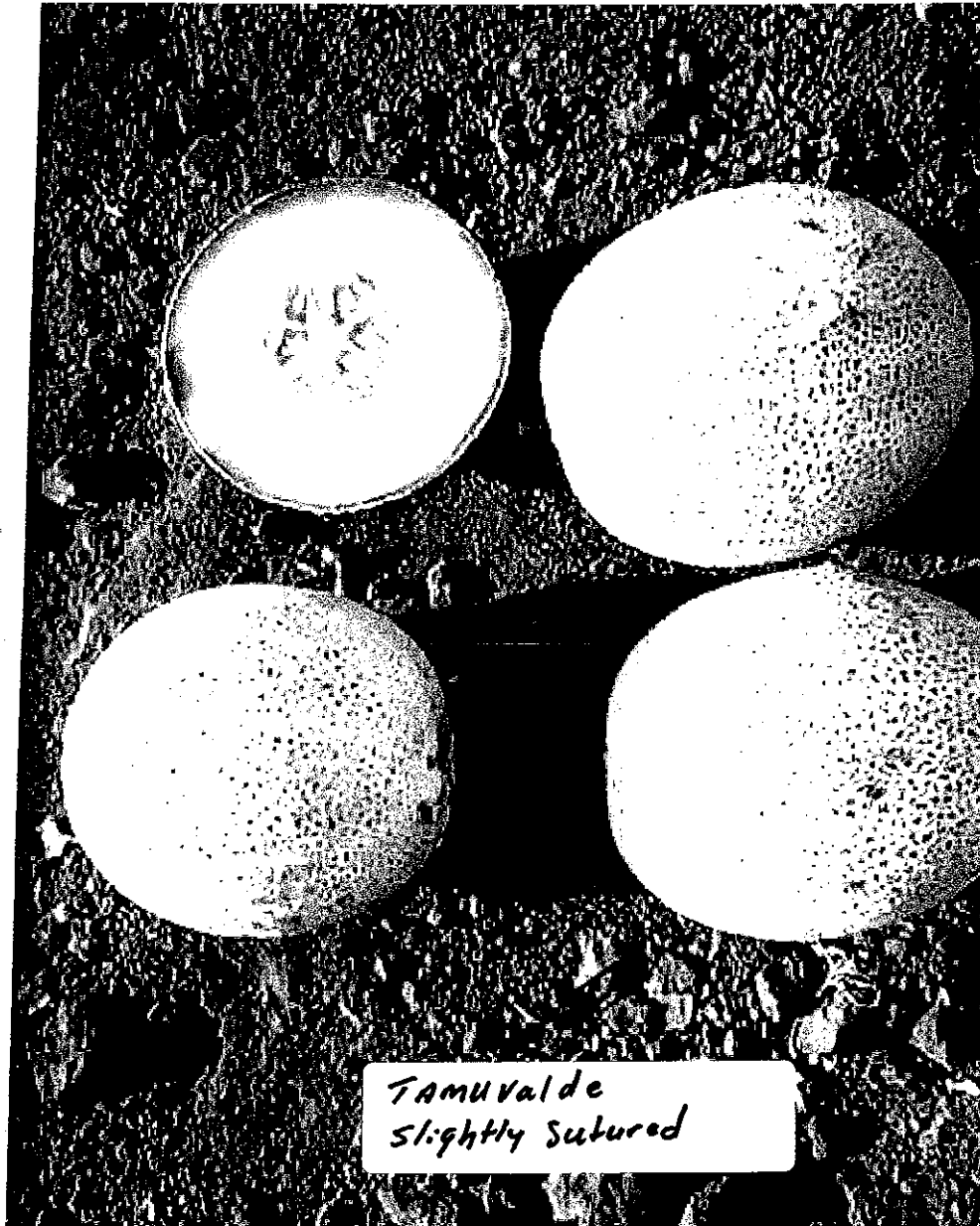
Caldwell, ID (208) 453-4990  
McAllen, TX (956) 652-0174

Nogales, AZ (520) 281-1618  
West Palm Beach, FL (561) 755-2536

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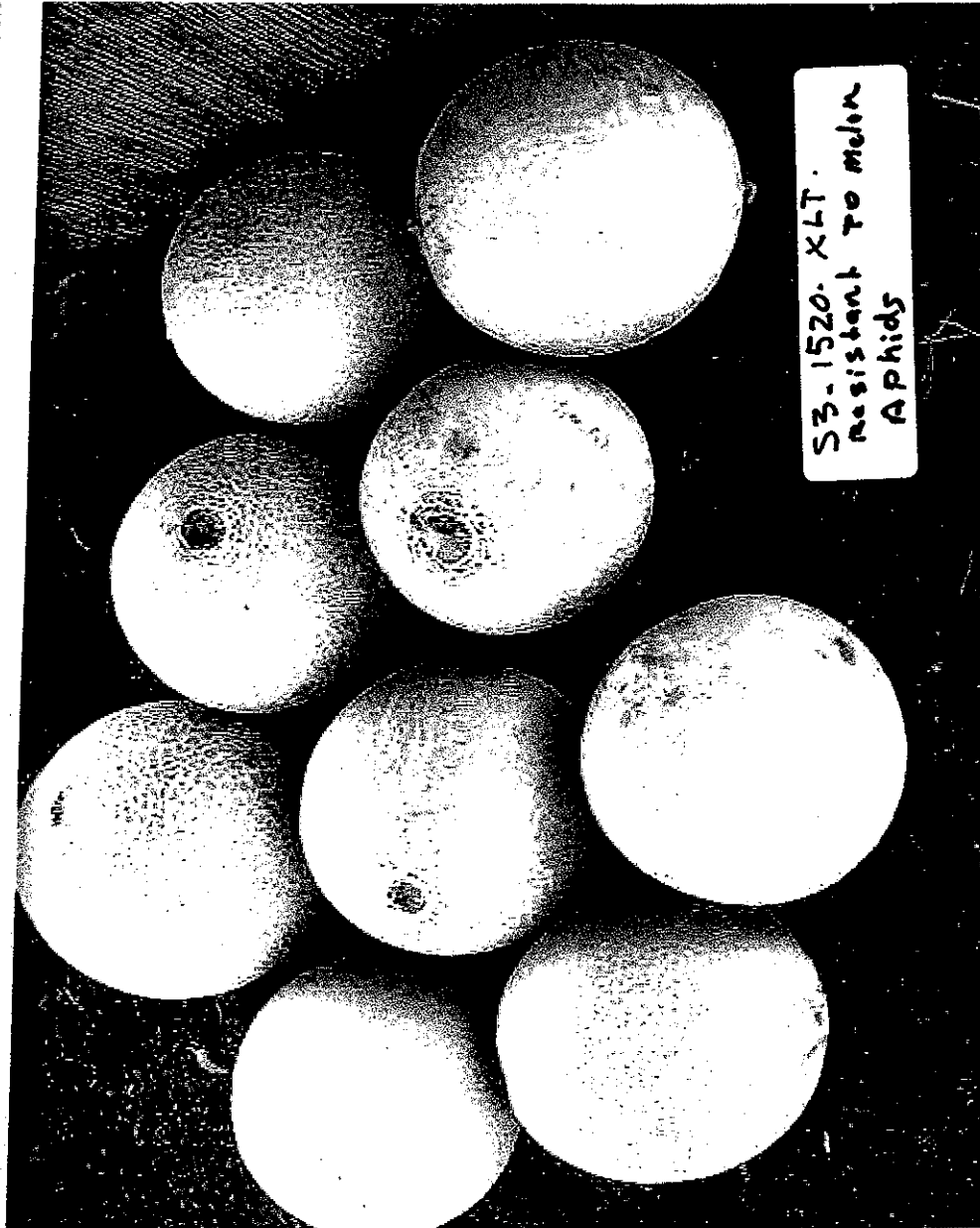


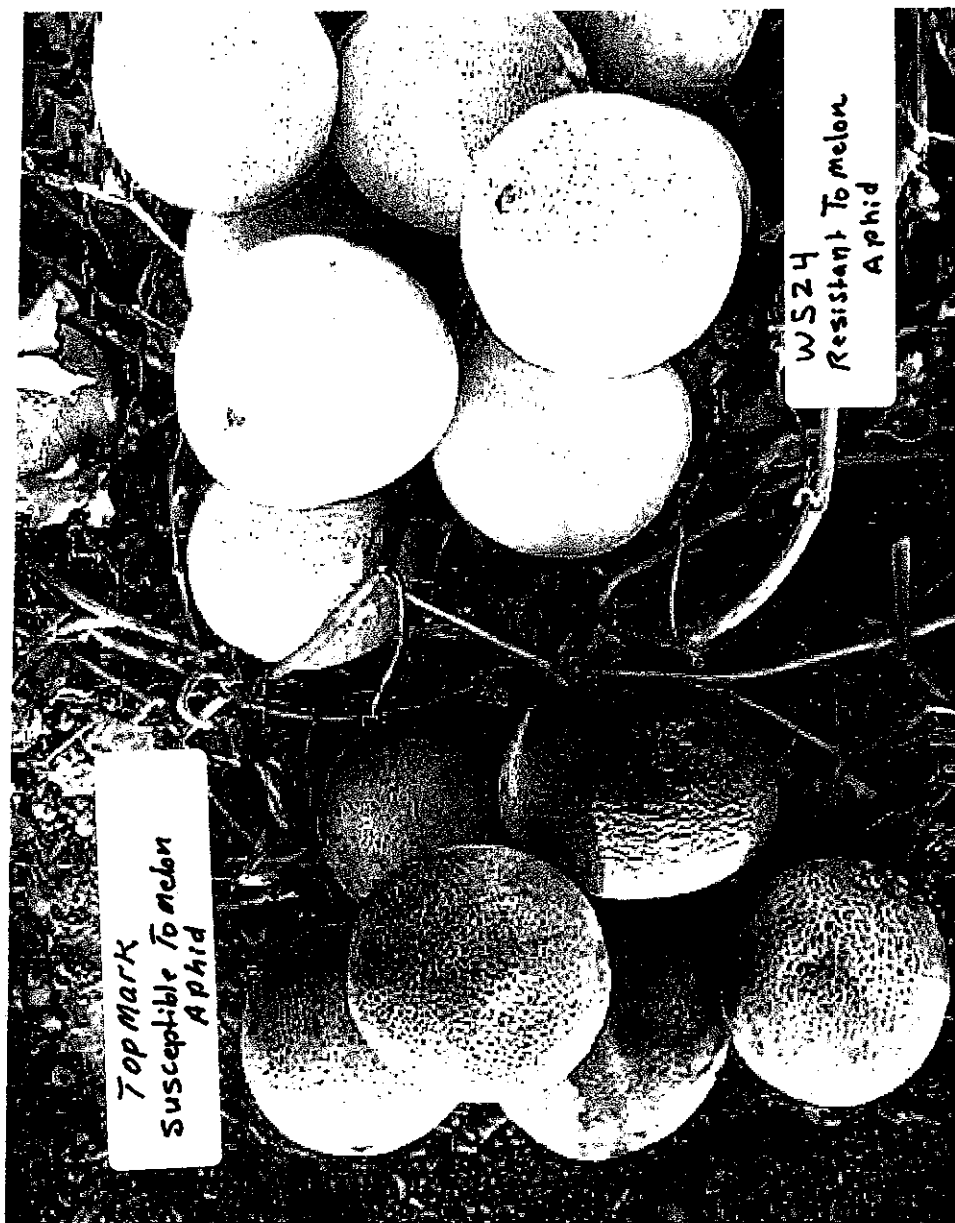
S3.1520-XLT  
non. sutured



Tamuvalde  
Slightly Sutured







Top Mark  
Susceptible To melon  
Aphid

WS24  
Resistant To melon  
Aphid

460093



Susp ← Aphids → Res

WS24

TopMark

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U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426).

**EXHIBIT E  
STATEMENT OF THE BASIS OF OWNERSHIP**

1. NAME OF APPLICANT(S) <i>Abbott and Cobb, Inc.</i>	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER	3. VARIETY NAME <i>S3-1520-XLT</i>
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country) <i>P.O. Box 307 Feasterville, PA 19053</i>	5. TELEPHONE (include area code) <i>(215) 245-6666</i>	6. FAX (include area code) <i>(215) 245-9043</i>
7. PVPO NUMBER <i>200400093</i>		

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. If no, please explain. ☒ YES ☐ NO

9. Is the applicant (individual or company) a U.S. national or a U.S. based company? If no, give name of country. ☒ YES ☐ NO

10. Is the applicant the original owner? ☒ YES ☐ NO If no, please answer one of the following:

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?

☐ YES ☐ NO If no, give name of country

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?

☐ YES ☐ NO If no, give name of country

11. Additional explanation on ownership (Trace ownership from original breeder to current owner. Use the reverse for extra space if needed):

*Dr. Hasib S. Humaydan, a full-time employee of Abbott and Cobb, is the breeder of S3-1520-XLT. Most of the breeding and selection work was done near Davis, CA. Dr. Humaydan retains no claims of ownership of S3-1520-XLT. Abbott and Cobb, Inc. is the sole owner of S3-1520-XLT.*

**PLEASE NOTE:**

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.

2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.

3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 0.1 hour per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

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